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INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE

C O N F I D E N T I A L SECTION 01 OF 02 TBILISI 000748

SIPDIS

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TAGS: PGOV PREL PHUM KDEM GG

SUBJECT: GEORGIA: PUBLIC DEFENDER AND LAWYERS NGO WORK TO STAY OBJECTIVE ON PROTESTS

REF: A. TBILISI 0735

1B. TBILISI 0693

Classified By: AMBASSADOR JOHN F. TEFFT FOR REASONS 1.4 (B) AND (D)

11. (SBU) Summary: As protests drag on in front of Parliament in Tbilisi (ref A), two local organizations continue to monitor the situation. The government's Public Defender's Office (PDO) has maintained its monitoring teams (Ref B) with 24-hour coverage since April 9. The PDO uses uniformd four-man teams, consisting of two PDO personnel and two volunteers, at each protest venue. The NGO Georgian Young Lawyer's Association (GYLA) has provided 25 of the PDO's 40 volunteers. GYLA is providing legal counsel assistance to the PDO and released a statement calling on the police to investigate recent alleged attacks on protesters. On April 15, Poloff met each organization for an update on their activities. End summary.

PDO MONITORING CLOSELY

12. (SBU) Sophie Benashvili, Head of the PDO's Freedom and Equality Department, said the PDO is continuing its monitoring plan and will as long as protesters remain. The PDO is paying close attention to several recent allegations of assaults on supporters of the protests; specifically four over the night of April 14. Reportedly, groups of masked men have assaulted or threatened various persons shortly after they left the protests late at night. The PDO is collecting information from their observation teams, and meeting with some of these alleged victims and other sources to document the cases. Public Defender Sozar Subari held a press conference the evening of April 15, urging the Ministry of Internal Affairs (MOIA) to respond to these instances and detain the criminal groups. (Comment: The press conference was not covered by the national TV stations. Newspapers and Maestro TV did cover it. End comment.)

13. (C) Benashvili previously told us that the PDO would provide its information on specific attacks to the MOIA after Subari's press conference. (Note: The MOIA has told us that they are aggressively trying to verify and respond to these incidents. They said they could confirm only one of approximately 60 allegations over the weekend. End note.) Benashvili said that communication between the PDO and MOIA is rigid and requires formal paperwork. When pressed, she said Subari and Deputy Public Defender Giorgi Chkheidze have informal channels with the MOIA. Poloff encouraged the PDO to continue its monitoring program and communicate proactively with MOIA.

14. (C) Benashvili agreed that the first few days of the protest were "kind of quiet," but said tension had risen by April 15. She said that some alleged attacks bear similarity to the protests of 2007, but these groups are less recognizable. She did not know who could be behind the attacks, but doubted it was the MOIA. Benashvili said the PDO will monitor MOIA's investigations into the cases they

provide, but did not expect any information anytime soon. She did not speculate as to what will happen next with the protests. However, she lamented that all sides continually speak of dialogue but none have taken concrete steps in this direction.

NGO's Support PDO Efforts

15. (C) Poloff met GYLA Chairwoman Tamar Khidasheli and Executive Director Besarion Bokhashvili (Note: Tamar is cousin to former GYLA Chairwoman and Republican Party firebrand Tina Khidasheli. However, the two are reportedly not close. GYLA's board fully supported Tamar's candidacy despite any association with Tina. End note.) Bokhashvili, himself a PDO volunteer, said that in addition to GYLA, local NGOs ISFED, the Human Rights Council, and the Ethnic Minorities Council are providing PDO volunteers. He confirmed that observers are working around the clock at the different venues (Parliament, the public broadcaster, and presidential office), and reporting through the PDO. He confirmed that observers have seen some young protesters verbally taunting police at the presidential residence. Otherwise, they have not witnessed conflicts, altercations, or any of the recent alleged attacks (which reportedly happened some blocks away from the protests).

16. (C) Khidasheli said GYLA was providing legal assistance to the PDO, as well as any protesters who ask for it, including alleged victims. She explained GYLA's April 15 public statement (emailed to EUR/CARC), which called on the MOIA to respond to and investigate reports of attacks on protesters in accordance with Georgian law. Khidasheli called MOIA's

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comment regarding the April 11 clash between street cleaners and protesters on Rustaveli -- which said police did not respond due to the conflict's short duration -- unacceptable.

She said GYLA has investigated, in conjunction with the PDO, several of the alleged attacks and then provided that information to the MOIA. In two cases, Khidasheli said that victims had been threatened in front of uniformed police, who took no action. She believes that the police are turning a blind eye to these "assaults," because although they have the responsibility and capability to investigate them they do not. Ambassador Tefft continues to raise with MOIA each case of intimidation and misconduct brought to our attention.

17. (C) Ultimately, Bokhashvili said GYLA is trying to be "as objective as possible." Khidasheli acknowledged that the police are in a tight spot, as some of the protesters want to spur a conflict. However, she said, this does not absolve them of the responsibility to report, respond to, and investigate a crime -- especially if they witness it. She said that on some issues (TIP/domestic violence), the MOIA works closely with GYLA, but not on others. Poloff encouraged both executives to continue the monitoring program and communicate (along with the PDO) with the MOIA.

18. (C) Comment: We believe both PDO and GYLA are working to be objective and responsible, despite their general anti-Saakashvili orientation. The PDO monitoring plan is unprecedented and commendable. The alleged attacks are difficult to confirm or deny and the police are trying to minimize intervention with protesters for understandable reasons. Neither group could predict what may come of the protests and both acknowledge the intransigence of the opposition. We will continue to encourage the monitoring groups to communicate proactively with MOIA and vice versa. End comment.

TEFFT